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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/561,063

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Franco Giovanni Ottino

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EXAMINER

BLACK, MELISSA ANN

ART UNIT

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3612

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/561,063	<b>Applicant(s)</b> OTTINO, FRANCO GIOVANNI	
	<b>Examiner</b> MELISSA A. BLACK	<b>Art Unit</b> 3612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>12/16/05</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim cannot depend from another multiple dependent claim. See MPEP § 608.01(n). Accordingly, the claim has not been further treated on the merits.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by FR 2 760 035 to Gilles.

Re Claim 1, Gilles discloses a door (See Figure 7) for a motor vehicle having an inner side, facing, in use, the inside of the motor vehicle itself, and an opposite, outer, side, said door comprising a supporting framework (See Figure 6), means (11) for supporting an external rear-view mirror, a lock (20) for blocking the door in a closing position, and a key assembly (14), which is operatively connected to said lock (20) and can be selectively actuated by means of a control key for disabling/enabling opening of said lock (20) from the outside of the motor vehicle, said key assembly (14) comprising a casing (12) and a key unit (See Figure 5) housed within said casing (12), which is operatively connected to said lock (20) and can be displaced with respect to the casing (12) itself by means of said control key, said door being characterized in that said casing (12) of said key assembly is rigidly fixed to said framework (See Figure 6),

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and in that said key assembly (14) is covered, towards the outer side of the door, by said supporting means (11) for supporting said rear-view mirror and is accessible from the outside through a seat (See Figure 5) made in the supporting means (11) themselves. Re Claim 2, Gilles discloses that said framework defines, at the top, a window opening for housing a mobile window and, in front of said window opening, a through opening covered towards the outside by said means (11) for supporting said rear-view mirror, and in that said casing (12) of said key assembly (14) is housed through said opening (See Figure 6) of said framework. Re Claim 3, Gilles discloses said casing (12) of said key assembly (14) is rigidly fixed to an attachment element (16) set between said supporting means (11) and said opening and fixedly connected to said framework (Figure 6 at 17 and 18). Re Claim 4, Gilles discloses said casing (12) of said key assembly (14) is constrained, via releasable fixing means, to a face of said attachment element (16) facing towards the inner side of the door. Re Claim 5, Gilles discloses said casing (12) of said key assembly (14) extends from said attachment element (16) towards the inner side of the door and co-operates head-on with a side edge of said seat of said supporting means (11). Re Claim 6, Gilles discloses said supporting means (11) comprise a base plate (5) applied externally on the door and defining said seat for access to said key assembly (14), and an arm for attachment for the rear-view mirror, extending in cantilever fashion from said base plate (5, See Figure 5).

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. US Pat # 5,316,364 to Ohya discloses the use of a locking assembly at the rear frame

of the vehicle door, and US Pat # 6,393,767 to Fukumoto et al teaches the use of a reinforcement (20b) as disclosed in Applicants Claim 7.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MELISSA A. BLACK whose telephone number is (571)272-4737. The examiner can normally be reached on M-F 7:00-3:30 ET.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dennis H. Pedder/  
Primary Examiner, Art Unit 3612

/M. A. B./  
Examiner, Art Unit 3612